

**UNITED STATES BANKRUPTCY COURT FOR  
THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

IN RE:	)	
	)	Case No.: 23-01210
Dawn Joi,	)	
	)	Chapter 7
Debtor.	)	
	)	Hon. A. Benjamin Goldgar
	)	
	)	

---

**NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that, on June 5, 2023, at 9:30 a.m., I will appear before the Honorable A. Benjamin Goldgar, or any judge sitting in that judge's place, **either** in Courtroom 642 of the Everett McKinley Dirksen United States Courthouse, 219 South Dearborn Street, Chicago, Illinois 60604, or electronically as described below, and present the **Trustee's Motion for Turnover of Property of the Estate**, a copy of which is attached.

**All parties in interest, including the movant, may appear for the presentment of the motion either in person or electronically using Zoom for Government**

You may appear electronically by video or by telephone.

**To appear by video**, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and password.

**To appear by telephone**, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and password.

**Meeting ID and password.** The meeting ID for this hearing is 161 500 0972, and the passcode is 726993. The meeting ID and password can also be found on the judge's page on the court's web site.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

Dated: May 17, 2023

Respectfully submitted,

**AJA CARR FAVORS, NOT INDIVIDUALLY  
BUT AS CHAPTER 7 TRUSTEE OF DAWN  
JOI**

By: /s/ Reed Heiligman

Reed Heiligman (No. 6294312)  
**HILTZ ZANZIG & HEILIGMAN LLC**  
53 West Jackson Blvd., Suite 1301  
Chicago, Illinois 60604  
Telephone: 312.566.9008  
[reed@hzhlaw.com](mailto:reed@hzhlaw.com)

**CERTIFICATE OF SERVICE**

I, Reed Heiligman, an attorney, hereby certify that, on May 17, 2023, I caused a true and correct copy of the foregoing **Notice of Motion** and **Trustee's Motion for Turnover of Property of the Estate** to be served on the following via the indicated means:

**VIA CM/ECF:**

- **Aja M Carr Favors** trustee@favorslawfirm.com, afavors@ecf.axosfs.com; bkadmin@axosfs.com
- **David Freydin** david.freydin@freydinlaw.com, vincent@freydinlaw.com
- **Patrick S Layng** USTPRegion11.ES.ECF@usdoj.gov
- **Joel Rabb** joelrabb@gmail.com, anne@joelrabblaw.com

**VIA US MAIL:**

Dawn Joi  
5 N Wabash Ave, Unit 1705  
Chicago, IL 60602

By: /s/ Reed Heiligman

**UNITED STATES BANKRUPTCY COURT FOR  
THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

IN RE:	)	
	)	Case No.: 23-01210
Dawn Joi,	)	
	)	Chapter 7
Debtor.	)	
	)	Hon. A. Benjamin Goldgar
	)	

---

**TRUSTEE’S MOTION FOR TURNOVER OF PROPERTY OF THE ESTATE**

Aja Carr Favors (the “Trustee”), not individually but as Chapter 7 Trustee of the bankruptcy estate of Dawn Joi (the “Debtor”), by her attorneys, pursuant to 11 U.S.C. §§ 541(a) and 542(a), respectfully requests entry of an order (the “Motion”) directing the turnover of property of the estate. In support of the Motion, the Trustee states as follows:

**BACKGROUND FACTS**

1. On January 30, 2023 (the “Petition Date”), the Debtor filed a voluntary petition for relief under chapter 7 of title 11 of the United States Code, 11 U.S.C. §§ 101, *et seq.* (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Northern District of Illinois, Eastern Division (the “Bankruptcy Court”).

2. Aja Carr Favors is the duly appointed and qualified chapter 7 trustee of the case.

3. The Trustee convened a meeting of the Debtor’s creditors, pursuant to Section 341 of the Bankruptcy Code (the “341 Meeting”) on March 24, 2023.

4. The Debtor’s Schedule A/B reflects that she owns certain real property located at 3817 S Ellis Ave, Unit 302, Chicago, IL 60653 (the “Ellis Ave. Property”). The Trustee subsequently learned that the Debtor is the sole owner of Dawn Joi & Co., Inc., an Illinois corporation, which owns a commercial property located at 8485 S. Commercial Ave., Chicago, IL

60617 and a parking space located at 8 W. Monroe, P-81, Chicago, IL 60603 (the “Unscheduled Real Property”). The Debtor did not identify the Unscheduled Real Property on her bankruptcy schedules.

5. The Trustee is informed and believes that the Ellis Ave. Property is rented and generates monthly rents of \$1,500.00. The Trustee is informed and believes that 8485 S. Commercial Ave. is rented and generates rents.

6. Prior to bringing the instant Motion, the Trustee made multiple demands for an accounting and turnover of any post-petition rents collected by the Debtor. To date, the Debtor has not accounted for nor turned over any rents to the Trustee.

**RELIEF REQUESTED**

7. The Trustee seeks the entry of an order directing the Debtor to account for and turn over any post-petition rents generated by the Ellis Ave. Property and the Unscheduled Real Property pursuant to section 542(a) of the Bankruptcy Code.

**BASIS FOR RELIEF REQUESTED**

8. Any post-petition rents generated by the Ellis Ave. Property and the Unscheduled Real Property are property of the bankruptcy estate pursuant to section 541(a) of the Bankruptcy Code.

9. Section 542(a) of the Bankruptcy Code provides in relevant part:

“an entity, other than a custodian, in possession, custody, or control, during the case, of property that the trustee may use, sell, or lease under section 363 of this title, or that the debtor may exempt under section 522 of this title, shall deliver to the trustee, and account for, such property or the value of such property, unless such property is of inconsequential value or benefit to the estate.”

10. Any post-petition rents generated by the Ellis Ave. Property and the Unscheduled Real Property are assets that must be accounted for and delivered to the Trustee pursuant to 11 U.S.C. § 542(a).

11. In addition, the Debtor is in possession, custody, and control of any post-petition rents generated by the Ellis Ave. Property and the Unscheduled Real Property. Such rents are property of the estate which the Trustee may use for the benefit of creditors. These assets are not of inconsequential value or benefit to the estate.

12. Pursuant to section 542(a) of the Bankruptcy Code, the Debtor has a duty to deliver to the Trustee, and account for, all post-petition rents generated by the Ellis Ave. Property and the Unscheduled Real Property.

**WHEREFORE**, the Trustee respectfully requests that the Court enter an Order:

A. Directing Dawn Joi to immediately turn over to the Trustee, and account for, any post-petition rents generated by the Ellis Ave. Property and the Unscheduled Real Property; and

B. Granting such other and further relief as this Court deems just and equitable.

Dated: May 17, 2023

Respectfully submitted,

**AJA CARR FAVORS, NOT INDIVIDUAL  
BUT AS CHAPTER 7 TRUSTEE OF  
DAWN JOI**

By: /s/ Reed Heiligman

Reed Heiligman (No. 6294312)  
**HILTZ ZANZIG & HEILIGMAN LLC**  
53 West Jackson Blvd., Suite 1301  
Chicago, Illinois 60604  
Telephone: 312.566.9008  
[reed@hzhlaw.com](mailto:reed@hzhlaw.com)